

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DON C. LIVINGSTON,
Petitioner,
v.
PATRICK COVELLO, Warden,
Respondent.

No. 2:20-cv-0047 KJM AC P

ORDER

Petitioner is a state prisoner proceeding pro se with this habeas corpus action filed pursuant to 28 U.S.C. § 2254. Petitioner requests a copy of respondent's motion to dismiss filed March 23, 2020, because he believes his copy was discarded by staff, apparently inadvertently. See ECF No. 17. As a one-time courtesy, the court will provide petitioner with a copy of respondent's five-page motion to dismiss and two-page index of exhibits. The court will not provide copies of the exhibits which total more than 250 pages; nevertheless, the 2-page index clearly identifies the title and date of each exhibit.

Further, due to petitioner's delay in reviewing respondent's motion to dismiss, the court will extend the deadline for petitioner's response.

Accordingly, IT IS HEREBY ORDERED that:

1. Petitioner's request for copies, ECF No. 17, is granted in part.

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2. The Clerk of Court is directed to immediately send to petitioner: (1) one copy of respondent's five-page motion to dismiss (ECF No. 12 at 1-5), and (2) one copy of respondent's two-page "Notice of Electronically Lodging [sic] Documents" (ECF No. 13 at 1-2).

4. Respondent may file and serve a reply within 14 days after the electronic filing of petitioner's response.

IT IS SO ORDERED.

Allison Claire
ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE